

CITY OF HOLLISTER CITY COUNCIL

Minutes of Regular Meeting

January 18, 2005

CALL TO ORDER:

The regular meeting of the City Council of the City of Hollister was called to order by Mayor Valdivia on January 18, 2005, at 6:02 p.m. in the City Council Chambers at City Hall.

ROLL CALL: Roll was answered as follows:

PRESENT: Mayor Pauline Valdivia, City Council Members Brad Pike, Doug Emerson, Robert Scattini, and Monica Johnson, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson.

ABSENT: None.

STAFF PRESENT: Interim Public Works Director Steve Wittry, Associate Civil Engineer David Rubcic, Airport Manager Bill Gere, Police Captain Robert Brooks, Fire Chief Bill Garringer, Community Services Director Clay Lee, Administrative Services Director Robert Galvan, Development Services Director Bill Avera, and Redevelopment Program Coordinator Bryan Briggs.

VERIFICATION OF AGENDA POSTING:

The Agenda for the City Council of the City of Hollister meeting of January 18, 2005, was posted on the bulletin board at City Hall on January 14, 2005, at 9:40 a.m. per Government Code Section 54954.2.

STUDY SESSION:

The City Council discussed items A2, A4, A5, and A6.

CLOSED SESSION AGENDA:

A. Public comment for Closed Session agenda.

None.

B. Mayor Valdivia announced that the City Council of the City of Hollister would meet in Closed Session to discuss all or some of the following matters:

1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (2 potential cases will be discussed)
2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be discussed)
3. Conference with Legal Counsel - Pending Litigation - pursuant to Government Code Section 54956.9(a)
 - a. Award Homes v. LAFCO and City of Hollister
 - b. RWQCB - Cease and Desist Order No. R3-2002-0105
 - c. City of Hollister v. Monterey Insurance Company, California Capital Insurance Company, case number M65916
 - d. Nicholson v. Hollister, Case No. CU-04-00063
4. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiator: Clint Quilter

Employee Organizations: Service Employees International Union, Local 817; Hollister Firefighters Union - Local 3395; Hollister Peace Officers Association; Hollister Mid-Management Association; and un-represented employees in classifications designated as Executive Management and Confidential

5. Personnel - City Manager Evaluation and Contract.

Council Member Scattini moved to recess to Closed Session at 6:27 p.m. Motion seconded by Council Member Johnson and carried by a unanimous vote.

The City Council reconvened at 7:13 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL: Roll was answered as follows:

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PRESENT: Mayor Pauline Valdivia, City Council Members Brad Pike, Doug Emerson, Robert Scattini, and Monica Johnson, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson

ABSENT: None.

VERIFICATION OF AGENDA POSTING:

The Agenda for the City Council of the City of Hollister meeting of January 18, 2005, was posted on the bulletin board at City Hall on January 14, 2005, at 9:40 a.m. per Government Code Section 54954.2.

CLOSED SESSION:

City Attorney Cass announced that the City Council of the City of Hollister had discussed the following in Closed Session:

1. Conference with Legal Counsel - Pending Litigation - pursuant to Government Code Section 54956.9(a) -
(a) Nicholson v. Hollister, Case No. CU-04-00063
and the City Council gave direction to Legal Counsel.

PRESENTATIONS:

Mark Clifford presented a donation of \$150.00 to Mr. Michael McLennan of the American Red Cross from City Employees for the Tsunami victims relief effort. This is money collected for the Employee Holiday Party. Mr. Clifford informed the City Council that the employees also gave \$250.00 to a children's holiday project and he looks forward to supporting more organizations.

Ruben Lopez, President of LULAC, San Benito County Council, stated that there was a unanimous vote to make a donation to the American Red Cross for the Tsunami relief effort. He introduced Vice President Vince Luna who presented a check from LULAC to Mr. Michael McLennan representing the American Red Cross.

Mr. Michael McLennan thanked the City employees and LULAC for their donations. He stated that San Benito County has already contributed over \$22,000 to the Tsunami relief fund. Nationally the American Red Cross is working on a \$400 million campaign.

Mayor Valdivia presented a plaque to Rene Jimenez who retired December 30, 2004, after serving the City of Hollister and its citizens for over 41 years. Mayor Valdivia also presented Certificates of Recognition to Jim Hart and Rudy Sanchez who tested and

received the Water Distribution Grade D1 certification from the State of California.

Mayor Valdivia and Department Heads announced the Employee Service Awards for the 4th Quarter of 2004 and presented pins to Clint Quilter, Elaine Cass, Alfonso Duran, John C. Pere, Louie Guevara, Dave Lantis, Michael O'Connor, Jeffrey Granucci, Bob Martin Delcampo, John Parrinello, Julie Carreiro, Josie Cruz, and Philip Lamonica.

A. CONSENT RESOLUTION (January 18, 2005):

1. Minutes of Regular Meeting of January 3, 2005, and Special Meeting of January 10, 2005.
 - (a) Approved the Minutes of the Regular Meeting of January 3, 2005 and the Special Meeting of January 10, 2005, as submitted.
2. Warrant Register.
 - (a) Received transmittal dated December 29, 2004, Warrant Register, from Accounting Technician Luna.
 - (b) Ratified and approved the Warrant Register:
dated December 29, 2004, in the amount of \$688,745.01
3. Claim Against the City - Rebecchi.
 - (a) Received transmittal dated January 7, 2005, Claim Against the City - Rebecchi, from City Clerk Johnson.
 - (b) Denied the claim against the City filed by Lawrence Rebecchi and authorized staff to send the notice of rejection of claim to the claimant.
4. ABC License Review - Straw Hat Pizza Restaurant.
 - (a) Received transmittal dated January 10, 2005, ABC License Review - Straw Hat Pizza Restaurant, from City Clerk Johnson.
 - (b) Acknowledged receipt of the ABC license review for the Straw Hat Pizza Restaurant and ordered it filed.
5. Monthly Investment Report.
 - (a) Received memorandum dated November 30, 2004, Monthly Investment Report from Accountant Sadeghian.
 - (b) Received the Investment Report as of November 30, 2004, and ordered it filed.

6. Human Resource Analyst Full-time Staffing Request.
 - (a) Received transmittal dated January 10, 2005, Human Resource Analyst Full-time Staffing Request, from Administrative Services Director Galvan.
 - (b) Authorized the hiring of one full-time Human Resource Analyst to replace retired employee.
7. Resolution No. 2005-08, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER DIRECTING THE CHANGE IN SIGNATORIES FOR ACCOUNTS WITH FINANCIAL INSTITUTIONS.
 - (a) Received transmittal dated January 11, 2005, Resolution Directing Change in Signatories for Accounts with Financial Institutions, from City Clerk Johnson.
 - (b) Adopted Resolution No. 2005-08, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER DIRECTING THE CHANGE IN SIGNATORIES FOR ACCOUNTS WITH FINANCIAL INSTITUTIONS.

Council Member Scattini moved to adopt Consent Resolution (January 18, 2005) as outlined above. Motion seconded by Council Member Pike and carried by a unanimous vote.

B. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:

1. Public Input.
 - (a) City Clerk Johnson acknowledged receipt of correspondence and report from Mr. Joe Thompson regarding an affordable housing policy.

C. PUBLIC HEARINGS: (on or about 7:00 P.M.)

None.

D. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

None.

E. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:

1. Receive report regarding the Southeast Neighborhood Park bids.
 - (a) Received transmittal dated January 7, 2005, Informational Report to City Council Regarding the Bids Received for the Southeast Neighborhood Park, from Associate Civil Engineer Rubcic.
 - (b) Received oral report from Associate Civil Engineer Rubcic.
 - (c) Received oral comments from Mike Bellinger with Bellinger, Foster, Steinmetz, the architect for the project.
 - (d) City Council discussion.
 - (e) Ingrid Scheierman, Hollister, CA thanked the City Council for making the park happen. She is a member of the Friends of the SE Area Park and they are trying to raise additional funds for the park installation. She added that she would like to see a shade facility our the picnic tables as that would help mothers and babies. Mrs. Scheierman advised the City Council that the water play area has always been a top priority of the neighbors and they have always expressed that wish.
 - (f) Lisa Marks, Hollister, CA announced that she is also working with the Friends of the SE Area Park and the neighborhood consensus is that the water play feature is the most important aspect of the park.
 - (g) Council Member Johnson moved to go with Option 1, to construct the base park as bid at \$613,740.98 which would include the water feature. Motion seconded by Council Member Emerson and carried by a 4-1 vote, Council Member Scattini voting No.
 - (h) Council Member Pike commented that he wants people to do what they say they'll do and as a Council Member he will hold people accountable.
2. Receive oral report regarding the status of the Capital Improvement Project Program.
 - (a) Received transmittal dated January 11, 2005, Informational Report to City Council Regarding the Status of the Capital Improvement Project Program, from Interim Public Works Director Wittry.
 - (b) Received oral report from Interim Public Works Director Wittry.
 - (c) Information only; no City Council action taken.
3. Receive report regarding water and wastewater issues.
 - (a) Received oral report from City Manager Quilter. Meetings are taking place according to the MOU and the Policy Group will meet the first part of February. Mr. Quilter announced that a Study Session will be forthcoming.

- (d) Information only; no City Council action taken.
- 4. Mayoral appointments.
 - (a) Received oral report regarding appointments to an ad hoc committee on homeless shelters, an ad hoc committee on the housing element, and the Fire Task Force. Mayor Valdivia made the following appointments:
 - Fire Task Force - Monica Johnson
 - Homeless Shelter ad hoc committee - Doug Emerson and Brad Pike
 - Housing Element ad hoc committee - Pauline Valdivia and Doug Emerson
 - (b) Council Member Scattini moved to ratify the Mayoral appointments as listed above. Motion seconded by Council Member Emerson and carried by a unanimous vote.
- 5. Reports from City Council, City Manager, City Attorney, and Staff.
 - (a) City Manager Quilter - announced that he will set up a retreat with the City Council, the City Manager, and the City Attorney, then later he will set up a workshop with the City Council and staff. Mr. Quilter advised the City Council that the SE Area Park was not a priority until the citizens got involved which was a very good experience. The next City Council meeting is scheduled for February 7.
 - (b) City Attorney Cass - nothing to report.
 - (c) City Clerk Johnson - nothing to report.
 - (d) City Council Member Pike, District 1 - stated that he attended the League of California Cities conference for new Council Members last week in Sacramento and it was very educational. He thanked the taxpayers for the opportunity. Mr. Pike announced that he had received a welcome aboard letter from the Rainbow Children's Theater. He also said he will continue to drive the alleys and take pictures.
 - (e) City Council Member Emerson, District 4 - said he would like to second what Brad said regarding the League conference and there is a lot to learn. Mr. Emerson announced that he will be attending a workshop on personnel matters tomorrow and will also attend an AMBAG day long seminar on economic development on the 28th.
 - (f) City Council Member Johnson, District 5 - commented that she would reiterate what Brad and Doug said about the conference. She said she had a long list of questions for Clint that he hasn't seen yet. Mrs. Johnson thanked constituents for their phone calls.

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- (g) City Council Member Scattini, District 2 - congratulated the Chamber of Commerce recipients for the Man and Woman of the Year and the Businesses of the Year.
- (h) Mayor Valdivia, District 3 - also congratulated Fernando Gonzalez as the Man of the Year, Barbara Cosio as the Woman of the Year, and the Businesses of the Year: Subway, Boutique de Lingerie, and Fortino's Total Home. She said the annual Chamber of Commerce dinner was a great event.

F. UNFINISHED BUSINESS:

None.

G. NEW BUSINESS:

None.

H. MISCELLANEOUS:

None.

ADJOURNMENT:

There being no further business to come before the City Council of the City of Hollister, the regular meeting of January 18, 2005, was adjourned at 9:29 p.m. by motion of Council Member Scattini. Motion seconded by Council Member Emerson and carried by a unanimous vote.

Respectfully submitted,

Geri Johnson, CMC
City Clerk